



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

230 SOUTH DEARBORN ST.

CHICAGO, ILLINOIS 60604

REPLY TO THE ATTENTION OF:

SEP 17 1990

Mr. Robert Beard
Mr. Richard Beard
Hi-Mill Manufacturing Company
1704 Highland Road
Highland, Michigan 48301

Re: Hi-Mill Manufacturing Co. Site
Remedial Investigation / Feasibility Study

Dear Messrs. Beard:

The United States Environmental Protection Agency (USEPA) hereby formally disapproves the Remedial Investigation Report submitted by the Respondent of the Administrative Order by Consent (AO) in regards to the Hi-Mill Manufacturing Company Site. Pursuant to Section IX.C. of the AO, USEPA is attaching several lists of deficiencies. The deficiencies were so extensive that the integrity of the Remedial Investigation is questioned. Pursuant to Section IX.C. of the AO, Respondent has 45 days to submit a revised plan or report.

USEPA finds that the activities conducted pursuant to this Consent Order did not employ sound scientific practices, and were not conducted in accordance with the RI Guidance, the FS Guidance or the Consent Order as required by Sections IV.B. and VIII.C.7. of the AO. Accordingly, USEPA withdraws its approval of Respondent's technical consultant in this matter, Techna Corporation; and reserves all of its rights under this Consent Order, including but not limited to, the right to conduct a complete or partial RI/FS pursuant to Sections VIII.D. and/or XXIII of the AO.

Respondent must select a new technical consultant and obtain USEPA approval of this selection within 10 days of receipt of this letter. Since laboratory data submitted pursuant to the remedial investigation is also suspect, Respondent must also submit, within ten days of receipt of this letter, a list of the laboratories it intends to use. Respondent must submit a satisfactory remedial investigation report within 45 days of receipt of this letter.

Because of the extensive nature of the deficiencies, USEPA is willing to meet with the new approved technical consultants as early as possible to discuss the lists of deficiencies and the requirements for this project.

Please be advised, consistent with Section III of the AO, that the failure of any contractor, consultant firm or other person or entity acting under or for Respondent to comply with the terms of the AO does not relieve the Respondent of its responsibility to carry out all actions required by the AO, and will not provide a defense to any assertion of a right by USEPA.

If you have any questions regarding this matter, please contact me at (312) 353-1331, or Maria Gonzalez, Assistant Regional Counsel, at (312)886-6630.

Sincerely,



Charles M. Wilk
Remedial Project Manager

Enclosure

cc: Jack D. Shumate
Dr. James Harless
Debby Larsen
Maria Gonzalez